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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/452,188	12/02/1999	SHOICHI YAMAGUCHI	862.3158	9981

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NEW YORK, NY 10112

EXAMINER

WON, YOUNG N

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/452,188

Applicant(s)

YAMAGUCHI, SHOICHI

Examiner

Young N Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 02 December 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

1. Claims 1-16 have been examined.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Gordon (US Pat No.5608786).

As per claims 1 and 10, Gordon teaches of a communication apparatus (see col.1 line 66: "messaging system" and a method (see col.1 lines 5-13) comprising: facsimile communication means for transmitting transmission information to a destination apparatus in accordance with facsimile communication specifications (see Fig.1 # 10 & #14 and col.3 lines 41-44); electronic-mail communication means for transmitting transmission information to a destination apparatus in accordance with electronic-mail specifications (see col.2 lines 4-6); communication designating means for causing transmission of the transmission information by selecting either said facsimile communication means or said electronic-mail communication means (see col.3 lines 36-38); and security designating means for designating whether the transmission information is confidential information; wherein if the transmission information has been designated as being confidential information by said security designating means, said facsimile communication means transmits the transmission information to the destination apparatus as is by facsimile transmission (see col.9 lines

23-26) when said facsimile communication means has been designated by said communication designating means, and said electronic-mail communication means encrypts the transmission information and then sends it to the destination apparatus by electronic mail when said electronic-mail communication means has been designated by said communication designating means (see col.9 lines 18-33).

As per claims 2-3 and 11-12, Gordon further teaches of a computer program sequence for implementing functions described in claims 1 and 10, and a computer-readable recording medium storing a computer program for implementing functions described in claims 1 and 10 (see col.6 lines 18-20).

As per claims 4, 5, and 13, Gordon further teaches wherein if the destination apparatus possesses a private security function, said facsimile communication means checks to determine whether the destination apparatus possesses a private security function by inquiring as to whether the destination apparatus possesses the private security function when a communication path to the destination apparatus is formed and transmits the transmission information by confidential communication utilizing this private security function when the transmission information has been designated as being confidential information by said security designating means (see col.9 lines 18-28).

As per claims 6-7 and 14-15, Gordon further teaches of a computer program sequence for implementing functions described in claims 5 and 13 and a computer-readable recording medium storing a computer program for implementing functions described in claims 5 and 13 (see col.6 lines 18-20 and col.10 lines 21-23).

As per claims 8, Gordon further teaches wherein said security designating means makes a determination that the transmission information is confidential information when the fact that transmission is by confidential communication is designated (see col.6 lines 28-33).

As per claims 9 and 16, Gordon further teaches wherein the transmission information is document information that has been obtained by reading a document (see col.1 lines 5-10).

Conclusion

3. Gordon teaches all the limitations of claims 1-16, it is essential that the claims be clearly and distinctly narrowed and limited to the invention of the applicant. It is the duty of the examiner to protect the public interest by viewing the claims as broadly as it is proposed.

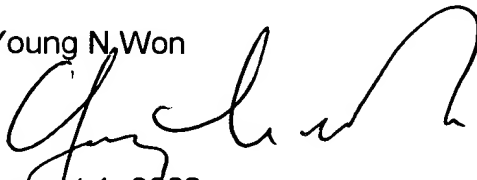
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Young N Won whose telephone number is 703-605-4241. The examiner can normally be reached on M-Th: 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-305-5352 for After Final communications.

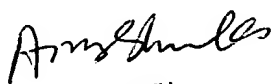
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Young N. Won



August 1, 2002



AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
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